

MANSFIELD TOWNSHIP COMMITTEE MEETING

January 27, 2010

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Jewell made a motion to approve the minutes with corrections from the regular meeting held on January 13, 2010, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

PAYMENT OF BILLS:

Mr. Jewell asked about purchase order 100006 for the Warren County Chamber of Commerce was this done last year.

Mr. Coppola stated that this was done last year.

Ms. Nerbak stated that this is done every year for the last 5 or 6 years as part of the Economic Development Committee.

Mr. Watters asked that the bill on the bottom of page two for William Edleston in the amount of \$425 be held until a contract is received.

Mr. Watters made a motion to approve the bill list holding Purchase Order #100089, which was seconded by Mr. Jewell.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mr. Coppola stated that an overtime report and a report for the court revenue was placed before each committee member on the dais and also the net valuation went down \$11,000,000 and that reduces each tax point by \$1100. Last year's municipal rate was 42.76 cents per hundred dollars of assessed valuation that will equal a loss of over \$51,000.

Mr. Coppola asked if there could be budget meeting could be held prior to the next meeting at 6pm.

The Committee agreed to meet at 6pm on the 10th of February.

Mr. Coppola stated that as of 12/31/2009 the surplus was \$325,000. At the end of 2008 it was \$569,000 \$445,000 was used in the 2009 budget \$200,000 was generated in 2009. In the year 2009 collections decreased slightly in August 2009 a revenue report was given to the committee members, at the time, Court revenue was on pace to equal the amount anticipated in the budget at year end it was \$12,000 than anticipated. Cell tower revenue was on pace to equal the revenue and it did. Interest Income was on pace to be \$12,000 less than anticipated and it was. Hotel Fees were on pace to be \$9000 less than anticipated and at year end were only \$7000 less than anticipated. Construction Revenues were on pace to be \$32,000 less than anticipated and finished at year end at \$24,000 less than anticipated. Some revenue actually increased. Interest on taxes was \$42,000 more than anticipated, delinquent tax revenue was \$40,000 more than anticipated. This means a higher percentage for delinquent tax revenue can be anticipated in 2010 than was in 2009. However, this will be a higher percentage of a smaller amount as the balance of delinquent taxes at the end of 2008 was \$517,000 and at the end of 2009 it was \$450,000.

Mr. Coppola stated that this was all he had unless anyone has any questions.

CLERKS REPORT:

Ms Hrebenak stated that she had a Bingo License for Mansfield Township Fire Company and also two raffle license and all items are in order.

Ms. Nerbak made a motion to approve licenses BA 2010-01, RA 2010-01, and RA 2010-02, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Ms. Hrebenak also stated that the PAIC Elected Officials training will be held at the Mansfield Township Municipal Building on March 2, 2010 at 9:30am and this training will give the Township a \$250 deduction per elected official that attends.

ENGINEERS REPORT:

Mr. DiSessa stated that he reviewed the energy audit and the HVAC systems and spoke with the contractor to see if we should deal with the boiler and the improvements for the energy audit at the same time. At this time the efficiency is at 70% and with a new boiler we would be at only about 80% so at this time it is not something that should be done, but there is an issue with the controls and this is something that was in the energy audit so this is something that should be done. The only way that there would be more efficiency is to switch the system to propane or natural gas so this is not something that needs to be done.

Mr. DiSessa stated that for the next meeting he will have a scope for this and also a list of the items that can be done by the DPW possibly to save some money.

Mr. DiSessa stated that he looked over the Septic System Ordinance from 2005 and he spoke to the Highlands there is no requirement at the time for this ordinance to be done more than what we have already, but that this should be sent in and that we should submit what we have with our conformance module.

Mr. DiSessa stated that there is nothing new for zoning there is one application from last month that was denied and they will be going before the board for an appeal.

Mr. DiSessa requested that there be a mailbox set up in the municipal building for engineering and zoning.

Ms. Nerbak stated that she thinks that this should be done.

Mr. Kobert stated that he will need Mr. DiSessa to go to the one junk yard because there will need to be a hearing for this property.

PUBLIC PORTION:

Mrs. Sams asked if Mr. Jewell spoke to Mr. Norton about her issue.

Mr. Jewell stated that he did speak to him and he apologized for what happened and agreed that they were both over the top that day and that Mr. Norton apologized and that from now on there will not be any issues with him coming out to catch the dogs.

Mayor Tomaszewski asked if there were any other comments from the public, seeing as there was none the public portion was closed.

Someone asked if the public portion was closed.

Mayor Tomaszewski stated that it was closed, but that he could reopen the public portion.

Mayor Tomaszewski reopened the public portion.

Kevin Huff, 36 Mitchell Road and has a house at 23 Hoffman Road, wants to know information about the roadway that is being put in from the Industrial property to the residential zone.

Mr. DiSessa stated that he did not recall an application for a roadway opening that came in.

Ms. Hrebenak stated that this was an application that was taken in back in December with the other engineer and there was a request for more information from Paul Zorn.

Mr. Jewell stated that this is something that was discussed at the transitional meeting with the old engineer and the new engineer and this is supposed to be only for a logging road.

Mr. Huff stated that in 1995 the property owners tried to put in a truck repair shop for dump trucks and garbage trucks which did not go through.

Mr. Kobert asked if a permit was issued for the road opening.

Ms. Hrebenak stated that there was not a permit that was issued yet.

Mr. Kobert stated that if their permit was not issued yet then there should be no traffic yet.

Mr. Huff stated that there was not an opening yet there were just flags marking the roadway and that the neighbors were talking to the surveyors and that is what they have said that the flags were for.

Mr. Jewell stated that this is probably to mark out the site triangle and that this is only for a logging road and that this is the property that is supposed to be sold to the county.

Mr. Huff stated that this is a buffer zone that was created years ago that cannot be used disturbed or violated.

Mr. Jewell asked what buffer zone.

Mr. Huff stated that Mr. DeCarpo stated in 1984 that the property behind the houses was fragile and that this is a buffer zone.

Mr. DiSessa stated that the changes that were requested have not yet been filed for the driveway opening.

Mr. Todd stated that he is concerned with the construction that is going to be done on the old Anemia farm to look into the old creek and the wildlife that is in the retention pond on the side hill and someone needs to address this concern.

RESOLUTION:

RESOLUTION NO. 2010-24

RESOLUTION APPOINTING CHIEF FINANCIAL OFFICER

WHEREAS, the Township of Mansfield appointed Andrew Coppola, Chief Financial Officer for the Township of Mansfield, for a four year term beginning February 8, 2006 through February 7, 2010 in accordance with N.J.S.A. 40A:9-140.13; and

WHEREAS, Andrew Coppola has completed that term;

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

1. Andrew Coppola, CFO is hereby appointed Chief Financial Officer of the Township of Mansfield which is a tenured position once the evidence has been received.
2. A certified copy of this Resolution shall be filed with the Department of Community Affairs of the State of New Jersey within 7 days of the date thereof.

Ms. Nerbak made a motion to approve the passage of Resolution 2010-24, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION No. 2010-25

FOR TRANSFER OF FUNDS

WHEREAS, there are insufficient funds in some of the 2009 budget line items; and

WHEREAS, it is permissible to transfer appropriation reserve funds before April 1, 2010.

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield that the following transfers be made:

FROM		TO	
Streets & Roads OE	\$2,000.00	General Admin. OE	\$2,000.00
Total	\$2,000.00		\$2,000.00

Mr. Jewell made a motion to approve the passage of Resolution 2010-25, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION 2010-26

RESOLUTION OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN AND STATE OF NEW JERSEY REQUESTING THE WARREN COUNTY FREEHOLDERS PLACE A FREEZE ON THE COLLECTION OF OPEN SPACE TAX FOR THE YEAR 2010

WHEREAS, in the November election in 1993 the voters of the County of Warren approved by a non-binding referendum to raise property taxes by a rate of \$.02 per \$100 of equalized real property valuation to provide dedicated revenue for land acquisition. Again in 1999 a similar referendum was asked of the citizens of Warren County to increase the tax by an additional \$.02 allowing the Freeholders to collect \$.04 per \$100 of assessed property value. In 2002 another \$.02 was approved by the voters allowing the Freeholders to collect \$.06 per \$100 of assessed property value; and

WHEREAS, the Township of Mansfield has since 1999 paid the County of Warren an open space tax that has totaled to date approximately \$4,030,863.00; and

WHEREAS, in addition to the Township of Mansfield, Warren Counties 21 other municipalities have also paid Open Space Tax; and

WHEREAS, the County of Warren has established The Agriculture Development Board, The Board of Recreation Commissioners and The Municipal and Charitable Conservancy Trust Fund Committee all of whom have a primary purpose of funding projects in accordance with N.J.S.A. 40:12-15.1 et seq.; and

WHEREAS, over the years these boards have provided funding for eligible projects such as acquisition of open space, recreation, farmland and historic preservation; and

WHEREAS, although the Township of Mansfield supports the conservation of open space, the protection of our natural resources and the necessity of preserving our historic sites, it is the state of the economy

compounded by the State of New Jersey's budget deficit that every municipal government will be faced with a difficult budget process due to uncertain municipal aid, decreasing revenues and increasing mandates.

NOW, THEREFORE, BE IT RESOLVED, by copy of the Resolution to each Warren County Municipality the Township of Mansfield requests the Warren County Freeholders to provide relief to each municipality by placing a freeze on the collection of the Open Space Tax for the year 2010.

Mr. Baldwin made a motion to approve the passage of Resolution 2010-26, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Resolution 2010-27
DESIGNATING PUBLIC AGENCY COMPLIANCE OFFICER

WHEREAS, in accordance with N.J.A.C. 17:27-3.5, each public agency shall annually designate an officer or employee to serve as its Public Agency Compliance Officer; and

WHEREAS, Dena Hrebenak, RMC, is the appropriate employee of the Township to serve as the Public Agency Compliance Officer;

NOW, THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield that Dena Hrebenak, RMC, be, and is hereby designated to serve as the Public Agency Compliance Officer on behalf of Township of Mansfield.

Mr. Watters made a motion to approve the passage of Resolution 2010-27, which was seconded by Mr. Jewell.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION 2010-28

A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF MANSFIELD, COUNTY OF WARREN, NEW JERSEY, ENDORSING AN INTERLOCAL SERVICES AGREEMENT BETWEEN THE TOWNSHIP OF MANSFIELD AND THE COUNTY OF WARREN, NEW JERSEY

WHEREAS, the Township of Mansfield and County of Warren have entered into discussions on an Inter-local Services Agreement with respect to setting forth the terms and conditions of the use of a document management system; and

WHEREAS, the County of Warren has agreed to provide use of the software, licenses, a VPN client and use of existing storage space at no cost; and

WHEREAS, the Township of Mansfield would agree to share the cost of any necessary future storage expansion between the participating municipalities and the County of Warren and the purchase of

any equipment as it specifically relates to the municipalities use of the document management system as will be outlined in the shared services agreement;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Mansfield, in the County of Warren , New Jersey, that the Township Committee of the Township of Mansfield endorses the drafting of an Inter-local Services Agreement setting forth the terms and conditions of the use of a document management system as outlined above.

Ms. Nerbak made a motion to approve the passage of Resolution 2010-28, which was seconded by Mr. Jewell.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ORDINANCE:

First Reading

Mayor Tomaszewski introduced Ordinance 2010-03:

ORDINANCE NO. 2010-03

AN ORDINANCE TO AMEND AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE SALARIES AND COMPENSATION FOR THE OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF MANSFIELD AND THE METHOD OF PAYMENT OF SUCH SALARIES AND COMPENSATION.

BE IT ORDAINED, by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey as follows:

The salaries per annum of rates of compensation of the following officers and employees of the Township of Mansfield are determined for the period below to be as follows:

Smoke Detector Inspector	\$5.00 - \$10.00 / inspection
--------------------------	-------------------------------

This Ordinance shall take effect immediately upon publication as provided by Law.

Mr. Watters made a motion to approve the introduction of Ordinance 2010-03 and requested that the public hearing be advertised for February 10, which was seconded Ms. Nerbak.

Mr. Jewell stated that he spoke to the person that does these inspections and that the amount of money that is being allowed per inspection is way too low after covering the town

Mr. Jewell made a motion to table this ordinance.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Second Reading

Mayor Tomaszewski presented Ordinance 2010-01 to the public for comment:

Tim Barlow asked with the football and the flag football which is free with the three kids.

Ms. Nerbak stated that the third child and any child after 3 would be free and that they would need to decide.

Bill Haffner, Recreation Commissioner, stated that he did not agree with the ordinance because the football fees are not clear.

Ms. Hrebenak stated that these are the fees that were given to us from Recreation.

Mr. Watters asked if the three fees could be made the same.

Ms. Nerbak stated that they could not.

There was discussion held about which child in the football flag football would be free.

Ms. Nerbak stated that this is something that can be reworked after discussion with the Recreation Commission.

Mrs. McGuiness, stated that the way that the ordinance is written makes it seem as though the fee covers the first two children for \$65.00.

Ms. Nerbak stated that this is supposed to be the first and the second child will be charged \$65.00 and that the third child and after are free.

Mr. Kobert stated that there can be minor changes made to the ordinance.

Ms. Hrebenak asked if after the fee it said per child for the first two children if this would be clear.

Mrs. McGuiness stated that it is also not written correctly for the third child.

Mr. Kobert stated that there would be a clarification that after the first two children the other children are free.

Ms. Nerbak stated that the ordinance should be reworded to say

- (a) \$65.00 per child for the first two (2) children in the same sport.
the third child or more are free
- (b) \$80.00 for football per child for the first two (2) children in the same sport the
third child or more are free
- (c) \$65.00 for flag football per child for the first two (2) children in the same sport the
third child or more are free.

ORDINANCE 2010-01

AN ORDINANCE TO AMEND CHAPTER III A OF THE CODE OF THE TOWNSHIP OF MANSFIELD BY
ADDING A NEW SECTION 3 SPORTS ACTIVITY REGISTRATION FEES

BE IT ORDAINED by the Mayor and Township Committee of the Township of Mansfield, County of
Warren and State of New Jersey:

2. Chapter IIIA of the Code of the Township of Mansfield is hereby amended to include a new
Section-Sport Activity Registration Fees.
3. Chapter IIIA-12. Sports registration fees for participation of children in athletic programs of
the Township of Mansfield shall be as follows:
 - (a) \$65.00 per child for the first two (2) children in the same sport.
the third child or more are free
 - (b) \$80.00 for football per child for the first two (2) children in the same sport the
third child or more are free
 - (c) \$65.00 for flag football per child for the first two (2) children in the same sport the
third child or more are free
 - (d) This ordinance shall take effect immediately after passage.
 - (e) Any ordinance that is inconsistent with the foregoing shall be deemed repealed by
this ordinance.

Ms. Nerbak made a motion to approve the passage of Ordinance 2010-01 with the corrections and
requested that the results be advertised, which was seconded by Mr. Jewell.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ORDINANCE 2010-02

AN ORDINANCE TO AMEND CHAPTER 19-7.11 b.1
OF THE CODE OF THE TOWNSHIP OF MANSFIELD,
WARREN COUNTY, NEW JERSEY.

BE IT ORDAINED, by the Mayor and Township Committee of the Township of Mansfield, County of
Warren, New Jersey's

1. Section 19-7.11b.1 is hereby amended as follows:
2. A new Section 19-7.11 b 1 A is adopted as follows

"The fee for said zoning permit shall be \$40.00 for residential uses and \$60.00
for all other uses."

All ordinances inconsistent with the foregoing shall be deemed repealed by this Ordinance.

This Ordinance shall take effect immediately upon publication as provided by Law.

Mr. Jewell made a motion to approve the passage of Ordinance 2010-02 and requested that the results be advertise, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

DISCUSSION:

CHIEF ORT

A RESOLUTION PROVIDING FOR A MEETING NOT OPEN TO THE PUBLIC IN ACCORDANCE WITH THE PROVISIONS OF THE NEW JERSEY OPEN PUBLIC MEETINGS ACT, N.J.S.A. 10:4-12.

WHEREAS, the Township Committee of the Township of Mansfield is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq. and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution, and

WHEREAS, it is necessary for the Township Committee of the Township of Mansfield to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

- (8) Matters Relating to the Employment Relationship: Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of, promotion, or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

NOW THEREFORE BE IT RESOLVED by the Township Committee of the Township of Mansfield, assembled in public session on January 27, 2010, that an Executive Session closed to the public shall be held on January 27, 2010 at 8:32 PM in the Mansfield Township Municipal Building, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in the closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Mayor Tomaszewski made a motion to go into Executive Session at 8:32pm after a five minute break, which was seconded by Mr. Watters.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

Nays: None

Absent: None
Abstain: None

Five Minute break at 8:33.

Return from break at 8:38 and enter into Executive Session.

Return from Executive 10:08.

Roll Call: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski

COMMITTEE PERSON COMMENTS:

Mr. Jewell stated that there was an Environmental Commission meeting

Mr. Watters had nothing to report.

Ms. Nerbak had nothing to report.

Mr. Baldwin stated that the police study is underway and that the Shared Service group is in the process of getting a grant but the governor has frozen all moneys.

Mr. Tomaszewski stated that a gentleman emailed him in support of the Township Committee for their courage to stand up and not conform to the Highlands.

Mr. Tomaszewski stated that he received correspondence from Warren Hospital about their life saving support and that he believes that he will be attending.

Mr. Kobert stated that Warren Village snow removal reimbursement for the three of seven of the years for a settlement.

Mr. Jewell made a motion to approve the reimbursement of Warren Village for three years of snow removal, which was seconded by Mr. Baldwin.

Ayes: Mr. Watters, Mr. Jewell, Mr. Baldwin, Ms. Nerbak, Mayor Tomaszewski
Nays: None
Absent: None
Abstain: None

Mr. Baldwin made a motion to adjourn at 10:12.